

Supreme Court U.S.
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NO. _____

IN THE OFFICE OF THE CLERK

SUPREME COURT OF THE UNITED STATES

XENIA C GUAM © , et. al., pro se,

Petitioner (s)

v

United States Court of Appeals for the Ninth Circuit;
Before Leavy, McKeown, and Berzon, Circuit Judges,
Case - USCA NO 04-17117 and United States District
Court - District of Nevada; Robert C Jones, United States
District Judge, Case - CV-S-04-0988-RCI
and Appellee, Plaintiff, CITIBANK SD

Respondent (s)

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES SUPREME COURT FOR
REVIEW OF APPEAL/S MADE TO THE UNITED
STATES COURT OF APPEALS FOR THE NINTH DIS-
TRICT. Judgment entered January 24, 2005.

PETITION FOR WRIT OF CERTIORARI

PETITIONER, XENIA C GUAM © , et. al., pro se,
1763 Cherokee Ln
Las Vegas, Nevada 89109
(702) 275-2356

First Page

QUESTIONS

1 - Can Federal Judges claim that Federal Statues are not a Federal Questions or ignore the fact that Federal Statues are a Federal Question ?

2 - Can a Federal Appeals Court claim that and Appeal made based on Federal Questions and Federal Diversity can not be Reviewed ?

3 - Can a Petitioned Federal Case be remanded to a State Court that has already ignored all Federal Statues and that further failed to administer Federal Statues ?

4 - Can Federal Courts deprive any United States citizen that is not incarcerated or guilty of any crimes of their Constitutional Rights and protection under all Federal Statues ?

5 - Is it the duty of the Federal Courts to uphold and Administer all laws in regards Federal Statutes, Laws and Acts ?

6 - Will the Federal Courts deprive a United States Citizen from reporting and filing a Petition of Rico Law violations against citizens or companies of the United States ?

7 - Does the Federal Court permit Ultra Vires to be committed by any company or institution regulated by the U. S. Treasury Department ?

QUESTIONS (continued)

- 8 - In the event of issues where errors are made or cases cited or not applicable does a Federal Judge have the right to ORDER that a case is not review able based on those errors made by Federal Judges ?**
- 9 - At issue; is it the sworn duty and obligations of Federal Judges to administer and uphold Federal Laws and Statues and to protect the Constitutional Rights of United States Citizens ?**
- 10 - Can a Federal Judge Order that all records are moot and further make an Order on Mandate of all court records when errors have been made in the administration of Federal Statues and Laws by Federal Judges in and effort to hide and quash those errors made ?**
- 11 - Do the Federal Courts allows illegally filed extortionate lawsuits to continue or be remanded to a state court when evidence is abundant and clear that the extortionate lawsuit was filed in violation of Federal Laws ?**
- 12 - Do Federal Courts allow Banks to violate Federal Laws ?**
- 13 - Do the Federal Courts allow Lawsuits that have No Proof of Claim to continue ?**
- 14 - Are Violations of Federal States, Laws and Acts considered to be a Federal Question ?**

QUESTIONS (continued)

15 - Are Violations of Constitutional Rights considered to be a Federal Question ?

16 - Is it not Federal Law that preempts State Laws when States do not protect the Constitution's Rights of United States Citizens or Federal laws that have been violated ?

17 - Why has the Federal Courts chosen not to Administer the Federal Laws violated in this case?

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1 - *Farmers and Miners Bank v Bluefield Nat'l Bank*
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2 - *First Nat. Bank v. Nat. Exchange Bank*, 92 U.S. 122, 128;,
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12 - *Zinc Carbonate Co. v. First National Bank*, 103 Wis 125, 79 NW 229.....

13 - *American Express Co. v. Citizens State Bank*, 194 NW 430.....

14 - *Federal Intermediate Credit Bank v. L 'Herrison*,
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15 - *National Bank of Commerce v. Atkinson*, 55 F. 471. 13.....

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19 - *Kirkland v. Bailey*, 155 SE 2d 701.....

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27 - *Guardian Agency v. Guardian Mut. Savings Bank*, 227 Wis 550, 279 NW 83. 22.....

28 - *Whipp v. Iverson*, 43 Wis 2d 166. 23.....

29 - *Lewis v. United States*, 680 F 2d 1239 (1982).....

30 - *Sedima, SPRL V. Imrex Co.*, 473 US 479 (1985)Rico Violation.....

31 - *Placid Oil Co., V. Taylor*, App. 3 Cir. 1977, 345 So. 2d 254,.....

32 - *Shreveport, Inc., V. Heflin*, App. 2 Cir. 1973, 286 So. 2d 511.....

33 - *Yaeger Milling Co., V. Lawler*, Sup. 1887, 39 La. Ann. 572, So.398.....

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34 - *L&H Airco, Inc. v. Rapistan, Corp.*, 446 N.W.2d 372, 380 (Minn. 1989).....

35 - *Richfield Bank & Trust Co. v. Sjogren*, 244 N.W.2d 648, 650 (Minn. 1976).....

36 - *Central Transp. Co. v. Pullman*, 139 U.S. 60, 11 S. Ct. 478, 35 L. Ed. 55).....

37 - *F& PR v. Richmond*, 133 SE 898; 151 Va 195.....

38 - *Bowen v. Needles Nat. Bank*, 94 F 925, 36 CCA 553.....

39 - *Durante Bros. & Sons, Inc. v. Flushing Nat 'l Bank*, 755 F2d 239, Cert. denied, 473 US 906 (1985) Rico Violation...

POINTS OF AUTHORITY

**Laws Specifically violated by PLAINTIFF/S
AND IGNORED BY ALL OF THE FEDERAL COURTS**

**Laws violated by the Plaintiff/s - FIRST NATIONAL
BANK OF OMAHA AND THE SAME LAWS VIOLAT-
ED BY the Plaintiff - CITIBANK, SOUTH DAKOTA**

**EVIDENCE of these violations has been submitted to all
Courts.**

POINTS OF AUTHORITY (continued)

- 1 - Rule 28 USC Part IV Chapter 85 sec. 1332
- 2 - Rule 12 USC (b)(1)(2)(3)(6) and Rule 12 USC (b)56
- 2(a) - RULE 56
- 2(A) - U S C Title 47 Section 227 violations of Telephone usage.
- 3 and 3 (a) - PLAINTIFF 'S FAILURE TO SIGN AFFIDAVIT UNDER OATH VERIFYING SOURCE OF FUNDS - FEDERAL LAW VIOLATION
- 4 - Plaintiff Silence of Acquiescence is Misrepresentation
- 5 - Violations of Civil False Claim Act
- 6 - USC Title 28 Part IV Chapter 89 sec 1446
- 7 - Title 18 USC 241
- 8 - UCC Article 1, Part 1 ,1 -107
- 9 - UCC Article 1 Part 2 , 1-203
- 10 - Title 12 Chapter I sec 226.13, \27\, \28\, \29\, Page 215
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- 11 - FTC Public Law 93-495 October 28, 1974 (2)
- 12 - FTC Public Law 93-495 October 28, 1974 (i)(e)
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- 13 - Title 15 USC 1692, Title 15 USC 1692g ,809
- 14 - Title 15 USC Section 1666a. (a),(b),(2)
- 15 - Title 28 USC Sec 1343 (a)(3)
- 16 - Title 28 USC 1441, (a)(b)(c)
- 17 - Ultra Vire - See Table of Authorities and contents
- 18 - Title 42 USC, 1983
- 19 - VIOLATIONS OF Administrative Law Act. Plaintiff's failure to exhaust.